

AG Contract No. KR03-0477TRN
ADOT ECS File: JPA 03-021
Amendment #1
TRACS No.: 195-YU-25-H577410C
Project No.: S-195-A-502
5 year Item No.: 13704
Project: YMIDD A Canal Box Culvert and
SCADA System

**AMENDMENT NO. ONE (1)
INTERGOVERNMENTAL AGREEMENT**

BETWEEN
THE STATE OF ARIZONA
AND
YUMA MESA IRRIGATION AND DRAINAGE DISTRICT

THIS AGREEMENT is entered into February 7th, 2005, Amendment One to JPA 03-021, AG Contract No.: KR03-0477TRN filed with the Secretary of State under No. 26028 pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and YUMA MESA IRRIGATION AND DRAINAGE DISTRICT, acting by and through its BOARD OF DIRECTORS (the "YMIDD")

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The YMIDD is empowered to enter into this agreement and has by resolution, through their Board of Directors, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the YMIDD.

The purpose of this Amendment is to add construction of a siphon at Avenue 6¾ E and County 12½ Street for Project S-195-A-502, under Tracs No. H577410C, currently estimated at \$55,000.00 all at the States expense.

THEREFORE, in consideration of the mutual agreements expressed herein, this Agreement is amended as follows:

Recital 4. is added as follows:

4. The State agrees to provide funding upon receipt and approval of an invoice from the YMIDD, for the construction of the siphon at Avenue 6¾ E and County 12½ Streets, currently estimated at \$55,000 00, all at the States expense.

NO. 26028
Filed with the Secretary of State
Date Filed: 02/07/05

Jenice K. Brewer
Secretary of State

By: Simon D. Greenwald

II. SCOPE OF WORK

Add paragraph f. to Article II.1 as follows:

1. The YMIDD will.

f. Invoice the State for the cost of construction of the siphon at Avenue 6 $\frac{1}{4}$ E and County 12 $\frac{1}{2}$ Streets, currently estimated at \$55,000.00, in the form of Exhibit A (form provided) plus up to eight percent (8%) of the construction cost for construction administration and engineering.

Add paragraph g. & h. to Article II.2 as follows:

2. The State will:

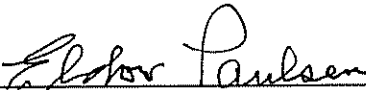
g. Provide contract documents for bidding purposes to YMIDD specifications for the construction of a siphon at Avenue 6 $\frac{1}{4}$ E and County 12 $\frac{1}{2}$ Street.

h. Reimburse the District for the reasonable actual cost of the Project plus up to eight percent (8%) construction administration and engineering, in a total amount estimated at \$55,000 00, within (30) thirty-days after receipt and approval of an invoice.

EXCEPT AS AMENDED Herein, All Other terms and conditions of the original Agreement remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

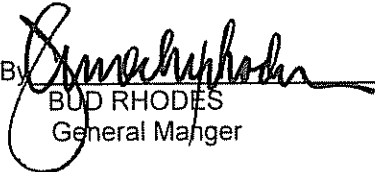
**YUMA MESA IRRIGATION AND DRAINAGE
DISTRICT**

By 
ELDON PAULSEN
Board President

STATE OF ARIZONA
Department of Transportation

By 
DOUGLAS A. FORSTIE, P E
Deputy State Engineer, Operations

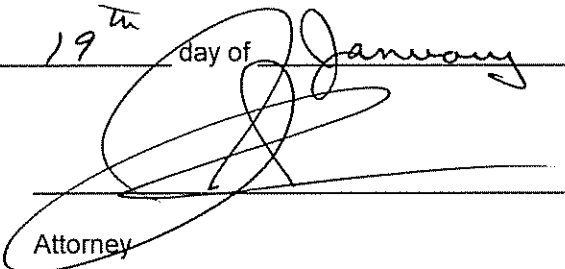
ATTEST:

By 
BUD RHODES
General Manager

APPROVAL OF
THE YUMA MESA IRRIGATION AND DRAINAGE DISTRICT ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the STATE OF ARIZONA and THE YUMA MESA IRRIGATION AND DRAINAGE DISTRICT, and declare this agreement to be in proper form and within the powers and authority granted to the YUMA MESA IRRIGATION AND DRAINAGE DISTRICT, acting by and through its BOARD OF DIRECTORS under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement

DATED this 19th day of January, 2004⁵



Attorney



OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

TERRY GODDARD
ATTORNEY GENERAL

CIVIL DIVISION
TRANSPORTATION SECTION
WRITER'S DIRECT LINE: 602.542.8855

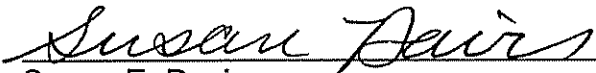
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR03-0477TRN (**JPA 03-021, Amendment #1**), an Agreement between public agencies (i.e., The State of Arizona and Yuma Mesa Irrigation and Drainage District), has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: February 1, 2005

TERRY GODDARD
Attorney General


Susan E. Davis
Assistant Attorney General
Transportation Section